FARAD CONTINUATION SHEET NO.:

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

WRIT PETITION NO. 1014 OF 2005

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr S.K.Chinchalikar, AGP for the petitioners.
Mr N.M.Gonguli, for Respondent.

CORAM: V.G.PALSHIKAR &
D.B.BHOSALE, JJ.

DATED: 5th September, 2005.

P.C.:

By this petition, the petitioners have challenged the order passed by the Maharashtra Administrative Tribunal by which the following relief was granted.

"In the circumstances, no useful purpose will be served by sending the matter for holding the Review DPC again, as it is not in dispute that the grading given by the DPC and Review DPC, as well, is B; and hence we are inclined to direct that she should be promoted to the post of Deputy Commissioner of Labour. But this decision is in the facts of this particular case and it shall not be treated as precedent. We thus allow the original application and direct the respondents to give promotion in the post of Deputy Commissioner of Labour to the applicant, who has now retired, from the date of her junior was promoted, with all the consequential benefits. No order as to

costs."

In view of the fact that the respondent-employee has retired and all that has been granted to the respondent is deemed date of promotion, we see no reason to interfere as it is considered as a solitary exceptional case. The writ petition is, therefore, dismissed.

(D.B.BHOSALE,J.) (V.G.PALSHIKAR,J.)